

5. ENFORCING THE LAW

At the beginning of my Administration, we set out to change the country's approach to crime by putting more officers on our streets through community policing, and taking guns out of the hands of criminals. We are making a difference. Today, our neighborhoods are safer, and we are restoring the American people's confidence that crime can be reduced.

President Clinton
January 5, 1997

The budget extends the Administration's commitment to cut crime, curb the scourge of illegal drugs, and secure the Nation's borders.

With overall crime dropping, the budget proposes to make further progress while targeting a remaining area of concern—juvenile crime and violence. In addition, the budget continues the President's progress toward putting 100,000 more police on the street, while increasing State grants for prison construction and for preventing violence against women. While crime remains mainly a State and local responsibility, the success of the Brady bill in preventing over 100,000 felons, fugitives, and stalkers from obtaining guns shows the Federal Government also has an important role to play.

The budget renews the Administration's efforts to fight drug abuse, particularly by focusing on youth prevention programs to reverse the recent trends of softening attitudes towards drugs and increased drug use by youth. It also continues efforts to stress treatment and prevention, domestic law enforcement, international programs, and interdiction. It would increase funds for the innovative Drug Courts initiative, for drug testing, for the Safe and Drug-Free Schools and Communities Program, for targeted interdiction efforts along the Nation's Southern border, and for disrupting the drug industry and its leadership overseas. The budget proposes to increase spending for these purposes by over \$800 million in 1998, and by more than \$6 billion between 1997 and 2002.

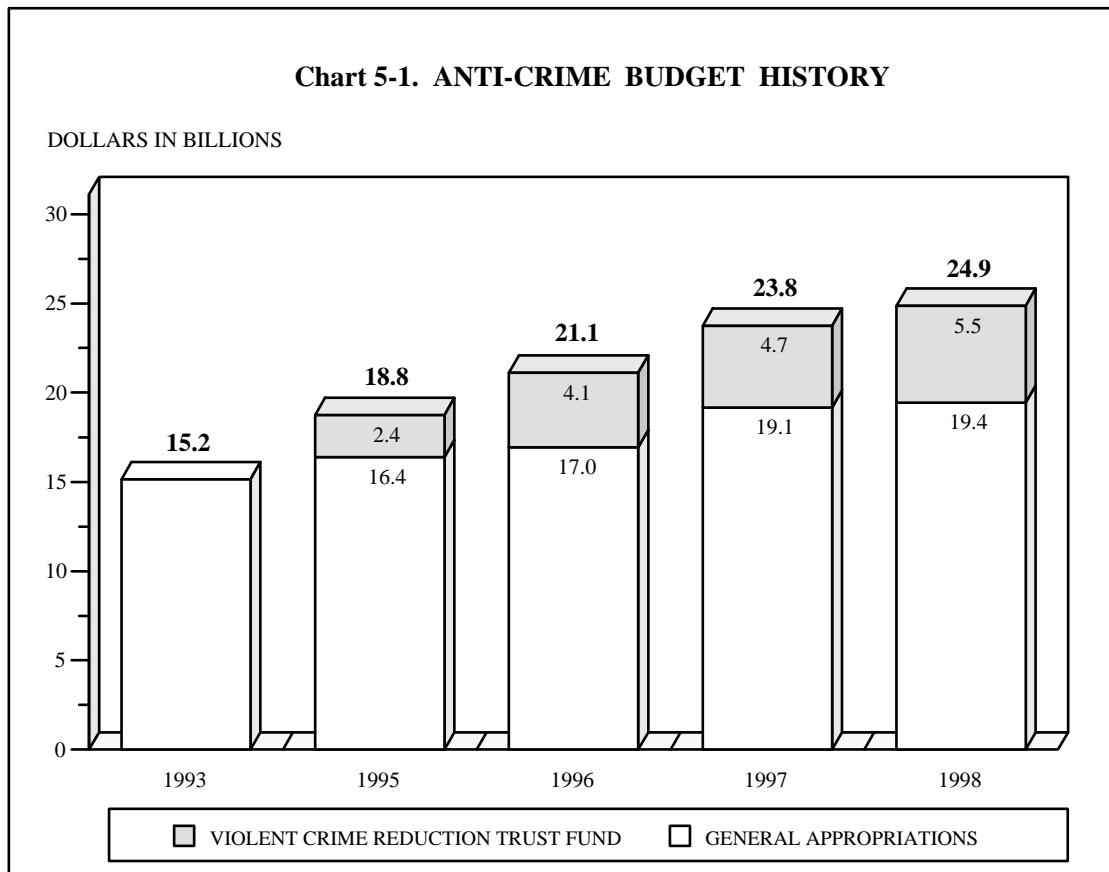
Finally, the budget strengthens the Administration's aggressive efforts to control illegal immigration by targeting resources to stop those who want to enter the United States illegally, detain and quickly remove those who slipped by, and make it harder for illegal immigrants to get jobs. It proposes to strengthen border enforcement in the South and West, to continue Port Courts to expedite removals, and to expand efforts to verify the employment eligibility of newly hired non-citizens.

Fighting Crime

The Administration's efforts to work with communities and local police forces are paying off. Serious and violent crime dropped for the fifth year in a row in 1996, marking the longest period of decline in 25 years.

But, while overall crime rates are dropping, young people are increasingly the perpetrators and victims of some of society's most violent crimes. As a result, the Administration's crime-fighting agenda includes a major focus on reducing juvenile crime and violence. Its programs recognize that youth violence has to be addressed in the home, on the street, and in the community.

The budget proposes \$24.9 billion to control crime, an increase of \$1.1 billion over 1997, as illustrated on Chart 5-1. Of the total, the Violent Crime Reduction Trust Fund (VCRTF) provides \$5.5 billion toward programs authorized in the 1994 Crime Act, an increase of \$817 million over 1997, as shown on Table 5-1. Federal spending, however, accounts for only 17 percent of all



law enforcement resources. Thus, the Administration proposes to continue empowering States and communities, which play the central role in controlling crime, particularly violent crime.

Community Policing: The cornerstone of the President's program to fight crime, particularly violent crime in our communities, is his plan to place 100,000 more police officers on the streets by 2000. Putting the idea of community policing into action, the program seeks to cut crime, violence, and disorder by applying proven, effective programs and strategies. By the end of 1997, the Community Oriented Policing Services (COPS) initiative will have funded about 64,000 additional police officers. For 1998, the budget proposes \$1.4 billion to put nearly 17,000 more officers on the street in local communities.

In addition to funding new police officers, COPS enables local law enforcement agencies to buy sophisticated crime equipment and

hire support personnel. These purchases, in turn, allow communities to deploy more officers. To enhance State and local law enforcement recruitment, retention, and education, the budget proposes \$20 million each for the Police Corps and for police scholarships, increasing the number of police officers with advanced education and training.

Juveniles: The budget proposes a \$50 million increase to support more local community prevention programs such as mentoring, truancy prevention, and gang intervention. To prevent young people from becoming involved in the juvenile justice system, the budget expands programs that provide supervised afternoon and evening activities for youth. These programs include \$63 million for community schools, supervision, and youth services grants—an increase of \$50 million over 1997.

Gangs: The President has worked hard to get guns off the streets and out of the hands of children, to crack down on violent teen

Table 5-1. VIOLENT CRIME REDUCTION TRUST FUND SPENDING BY FUNCTION

(Budget authority, dollar amounts in millions)

	1996 Actual	1997 Estimate	1998 Proposed	Dollar Change: 1996 to 1998	Percent Change: 1996 to 1998
Prevention:					
Violence Against Women	228	259	381	+153	+67%
Drug Courts	18	30	75	+57	+317%
Prison Drug Treatment	27	30	63	+36	+133%
Other Prevention Programs	4	34	57	+53	+1,483%
Subtotal, Prevention	277	353	576	+299	+108%
State and Local Assistance:					
Community Policing	1,400	1,420	1,545	+145	+10%
Incarceration of Violent Offenders	618	670	710	+93	+15%
Incarceration of Undocumented Criminal Aliens	300	330	350	+50	+17%
Other State and Local Assistance	690	790	707	+17	+2%
Subtotal, State and Local Assistance	3,008	3,210	3,312	+304	+10%
Federal Law Enforcement Assistance:					
Department of Justice	702	1,002	1,444	+742	+106%
Department of the Treasury	69	89	118	+49	+70%
Judiciary	30	30	50	+20	+67%
Subtotal, Federal Law Enforcement Assistance	801	1,121	1,612	+811	+101%
Total, Violent Crime Reduction Trust Fund	4,085	4,683	5,500	+1,415	+35%

Note: The Violent Crime Reduction Trust Fund received appropriations for the first time in 1995.

gangs, and to teach children that drugs are wrong, illegal, and dangerous. As gangs become an increasingly powerful and deadly force, the Administration is pursuing a coordinated national strategy to combat them. For example, the budget proposes \$100 million for prosecutorial offices to hire more prosecutors and take other steps, \$50 million for a new juvenile court initiative, and \$75 million for a local youth crime intervention initiative. The budget also proposes programs specifically targeted to stem violence on the street and in public housing, including:

- *Safe Streets Task Forces:* The budget proposes \$93 million to continue the Safe Streets program, which blends the efforts of the Federal Bureau of Investigation (FBI) and other Federal law enforcement agencies with those of State and local po-

lice departments to investigate street crime and violence.

- *One Strike, You're Out:* The President believes that public housing is a privilege, not a right, and residents who commit crime and peddle drugs should be immediately evicted. The budget provides \$290 million to support anti-drug and anti-crime activities in public housing, including enforcement of the President's One Strike, You're Out initiative.

Violent Offenders: The Administration seeks to ensure that convicted violent offenders serve at least 85 percent of their sentences behind bars. To reach this goal, the budget proposes \$710 million in State grants to build new prisons and jail cells under two programs—the Violent Offender Incarceration and the Truth in Sentencing Programs. Nation-

wide, the prison population is growing by over 1,700 inmates a week, and will likely grow faster as tougher sentencing laws and practices that these grant programs require are implemented. The 1998 funding level finances about 9,500 new prison beds. It includes \$150 million to reimburse States for the costs of incarcerating criminal aliens and \$35 million to improve State and local correctional facilities that hold Federal prisoners.

Crime Prevention: The President's Crime Prevention Council, which the Vice President chairs, seeks to coordinate Federal approaches to preventing crime. It helps communities get information about crime prevention programs, develops strategies for integrating programs and simplifying grants, publishes a catalog of prevention programs, and provides grants to communities for youth crime prevention programs.

Violence Against Women: The Administration recognizes that violence against women is a growing problem. To combat gender-based crime, the budget proposes \$381 million—the full authorized level and an increase of \$123 million over 1997. Programs in this category include grants to encourage mandatory arrest policies and to encourage coordination among law enforcement officials, prosecutors, and victims assistance organizations. Academic studies show that mandatory arrest policies often break the cycle of violence and reduce subsequent incidents of domestic violence. The expansion of these programs will enable States to enhance their efforts to respond to violent crimes committed against women, and to further expand access to previously under-served Indian and other minority populations.

State Prison Drug Testing: The budget proposes \$63 million for this program, a \$33 million increase over 1997. The funding would allow States to increase the number of residential substance abuse programs and treat about 23,000 prisoners. Experts generally agree that drug treatment programs aimed at prisoners are among the most cost-effective programs available in the fight against crime. In 1997, the President proposed and Congress agreed to require States to test prisoners and parolees as a condition for receiving State prison grants.

Counter-terrorism: While acts of domestic terrorism have been isolated incidents, the Administration has sought more Federal resources to ensure the safety and security of the Government and public from these violent, illegal acts. The President sought additional resources last year to fight terrorism, and Congress overwhelmingly agreed, providing \$1.1 billion in new counter-terrorism funds. The budget would continue these programs.

Methamphetamine: Methamphetamine is quickly becoming the growth drug of the 1990s. Also known on the street as “crank,” “ice,” and “speed,” methamphetamine is a dangerous stimulant that generates the same addiction cycle and psychological trauma associated with crack cocaine. The Drug Enforcement Administration (DEA) trains its agents, as well as State and local law enforcement agencies, to seize clandestine methamphetamine laboratories. Since 1994, the DEA has devoted almost 10 percent more work hours to methamphetamine investigations. The budget proposes to increase funding by \$11 million to continue DEA's anti-methamphetamine efforts.

Digital Telephony: The Communications Assistance for Law Enforcement Act ensures that law enforcement agencies can conduct court-authorized wiretaps as the Nation converts from analog to digital communications technology. With \$100 million available in 1997 to help develop the technology changes to provide this capability, the President proposes another \$100 million in 1998 to continue the effort.

Combating Drug Abuse and Drug-Related Crime

Drug abuse and drug-related crime cost our society an estimated \$67 billion a year¹ and destroy the lives and futures of our most precious resource—our children. Illicit drug trafficking breeds crime, violence, and corruption across the globe, drug use facilitates the spread of AIDS and other deadly diseases, and addiction erodes the user's dignity and productivity. The effects of drug use and drug-related crime are felt acutely by all

¹“Substance Abuse: The Nation's Number One Health Problem,” *Key Indicators for Policy*, Institute for Health Policy, Brandeis University (1993).

Americans, transcending economic, geographic, and other boundaries.

The budget proposes \$16.0 billion for anti-drug abuse programs, a five-percent increase over 1997. It builds on earlier initiatives by renewing the emphasis on drug treatment and prevention, especially for children and adolescents; domestic law enforcement; international programs; and interdiction. (For summary information, see Table 5-2.)

In particular, the budget proposes a coordinated, multi-agency approach to combating all types of substance abuse among youth—including tobacco and alcohol—with a comprehensive prevention initiative that focuses, in particular, on State-level data documenting trends in drug use. This comprehensive approach, consistent with the President's National Drug Control Strategy, comes in response to national surveys showing a dramatic rise in substance abuse among adolescents.

Community-Based Prevention: The Administration is committed to reversing the trend of increased drug use by our youth, and it proposes \$2.2 billion for drug prevention programs, 15 percent more than in 1997. After significant and consistent declines through the 1980s, teenage drug use is rising and anti-drug attitudes have softened—due in part to drug glamorization in the popular culture and the recent debate concerning drug legalization. In light of the recent “medicinal marijuana” initiatives adopted in California and Arizona, the Administration believes it is more important than ever to continue sending a single “no use” message and to focus on keeping America’s youth drug free.

- **National Media Awareness Campaign:** The Office of National Drug Control Policy (ONDCP) will develop a media campaign—to include public service announcements, targeted at youth and their parents, on the consequences of drug use and the use of alcohol and tobacco. ONDCP will finance the campaign from the \$175 million in discretionary funds that the budget proposes for ONDCP’s Director to combat emerging drug abuse threats.
- **The Safe and Drug Free Schools and Communities Program:** The Safe and Drug-Free Schools and Communities program is the Federal Government’s largest effort to inoculate children against drug abuse and ensure that schools are safe and disciplined learning environments. The program supports drug and violence prevention efforts in 97 percent of all school districts through educational activities, teacher training, curriculum development, peer counseling, security services, and other activities. The budget proposes to spend \$620 million for this program, 12 percent more than in 1997, and to encourage States to adopt models of proven effectiveness.

Drug Intervention: The budget proposes \$3.3 billion to treat drug abuse, seven percent more than in 1997. The Administration seeks to address drug abuse where the battle is toughest—in the streets, in jails, and in urban and rural drug markets. A priority is treating chronic, hard-core drug users; they consume a disproportionate amount of illicit drugs and impose a disproportionate share of drug-related costs on society.

Table 5-2. DRUG CONTROL FUNDING

(Budget authority, dollar amounts in millions)

	1996 Actual	1997 Estimate	1998 Proposed	Dollar Change: 1996 to 1998	Percent Change: 1996 to 1998
Demand Reduction	4,441	4,977	5,474	+1,034	+23%
Supply Reduction	9,013	10,182	10,502	+1,489	+17%
Total, Drug Control Funding	13,454	15,159	15,977	+2,523	+19%

- *Drug Courts:* The budget proposes \$75 million, a 150-percent increase over 1997, for the Drug Courts initiative. These courts offer an alternative to incarceration for non-violent offenders who are willing to participate in, and would benefit from, rehabilitative drug treatment. Drug Court programs rely on sanctions, such as incarceration and increased drug-testing and supervision, to encourage treatment.
- *Substance Abuse Treatment:* The budget proposes \$1.3 billion, one percent more than in 1997, to support State substance abuse activities, which target resources to local user populations. In addition, the budget maintains support for treatment and prevention services for everyone in need, including pregnant women, high-risk youth, and other under-served Americans. (For a discussion of funding proposals for the Substance Abuse and Mental Health Administration, see Chapter 1.)
- *Arrestee Drug Testing:* The budget includes \$42 million, 40 percent more than in 1997, for the costs associated with drug-testing Federal, State, and local arrestees. With these funds, the Administration would establish Federal demonstration pre-trial drug testing programs and promote new, comprehensive drug testing programs at the State and local levels, for both pre-trial and post-conviction populations. In addition, the Administration has begun requiring, as a condition of receiving Federal highway funds, that every State make it illegal for anyone under 21 to drive with alcohol in his or her bloodstream.

Domestic Drug Law Enforcement: The budget proposes \$8.4 billion for domestic drug law enforcement, four percent more than in 1997. The funds would enhance Federal law enforcement efforts while targeting new resources to community-based law enforcement, stopping the flow of illegal drugs through the Southwest border, and training Federal, State, and local law enforcement agencies to seize clandestine methamphetamine laboratories. The Federal role would continue to focus on providing leadership and training; fostering intergovernmental cooperation through the High Intensity Drug Trafficking Areas program, DEA's Southwest border initiative, and

other efforts; and providing incentives to States and localities to adopt proven drug control methods. The number of High Intensity Drug Trafficking Areas has risen from five in 1993 to 15 in 1997.

Interdiction and International Programs: The Administration has launched a multi-faceted international strategy, making it harder for traffickers to smuggle illicit drugs into the United States for sale.

- *Southern Tier of the United States:* The Administration is working to stem the flow of narcotics through land and seaports along the Nation's Southern tier. The budget would reinforce efforts by the Customs Service to strengthen border enforcement along the Southern tier by providing \$36 million for increased drug interdiction efforts. The budget also increases support for other Southwest border interdiction efforts, including \$16 million for the Immigration and Naturalization Service (INS), \$46 million for the DEA's and the FBI's Southwest border drug interdiction efforts, and \$47 million for Coast Guard interdiction activities.
- *Source Nation Efforts:* Internationally, the United States is focusing on not just interdiction in source countries and transit zones, but also on disrupting the drug leadership and its production, marketing, and money laundering structure. Increased U.S. efforts in Colombia helped secure the arrest of several Cali Cartel leaders. The budget proposes to increase funding for counter-narcotics programs in Peru to \$40 million, 74 percent more than in 1997, to encourage that nation to grow crops other than drugs. The budget also proposes to continue funding for the same purpose in Bolivia.

Detering Illegal Immigration

The President has put a high priority on controlling our Nation's borders, reversing decades of neglect. He has launched an aggressive strategy of deterrence and has fought successfully for a dramatic increase in INS resources to stop illegal entry, detain and promptly remove those here illegally, and end the easy access to the Nation's job market that illegal workers have enjoyed.

As a Nation of immigrants, the United States continues to welcome those who seek legal entry and refugees who seek protection from harm in their home countries. In 1996 alone, the Nation welcomed over a million new naturalized U.S. citizens. As a Nation of laws, however, we are committed to maintaining the integrity of our borders, and deterring and removing those who are here illegally.

Over the past five years, in coordination with Congress, the Administration has increased funding for INS by 111 percent. The budget continues support for efforts that advance border control and illegal alien detention and removal, and the efficient processing of those seeking citizenship. The budget proposes \$3.6 billion for INS, 13 percent more than in 1997 and 41 percent more than in 1996 (see Table 5-3).

Securing the Border: Controlling the Nation's 6,000-mile border with limited resources is a continuing challenge for INS. The Administration's goal is unambiguous—to ensure

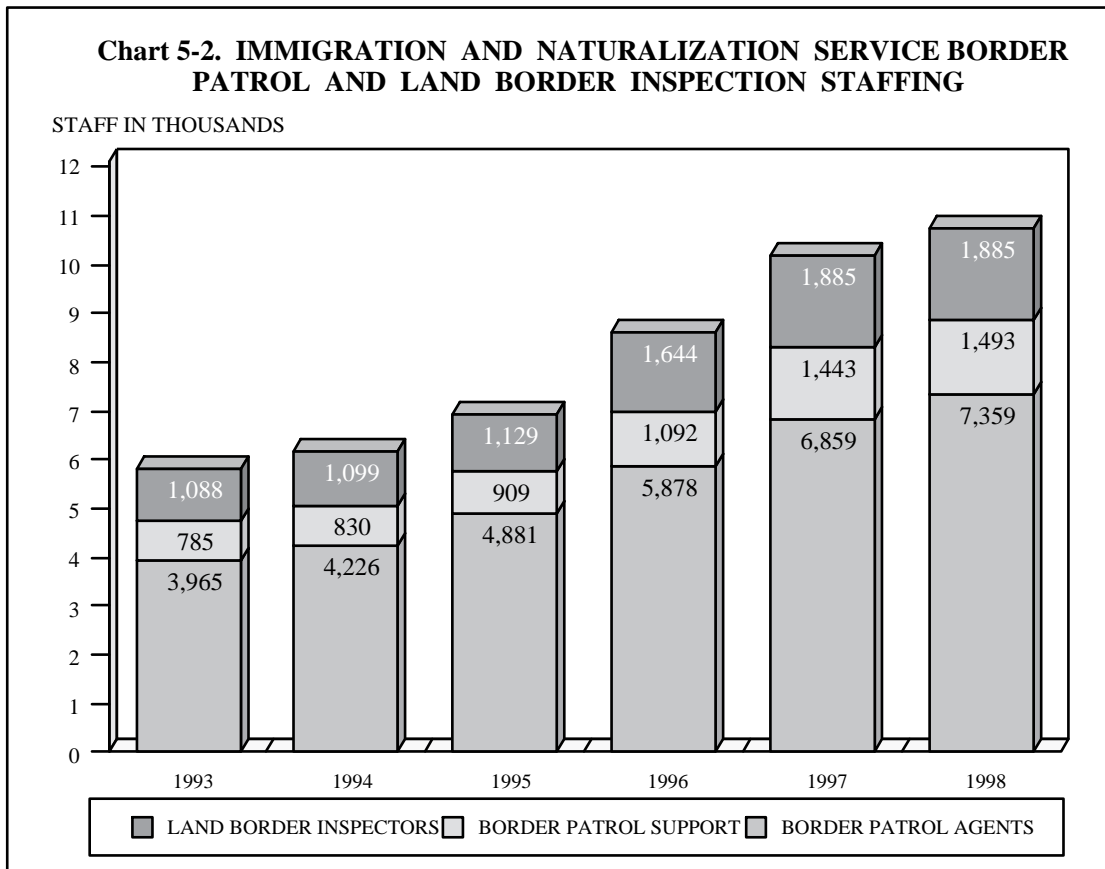
that the border deters illegal immigration, drug trafficking, and alien smuggling, while facilitating legal immigration and commerce. The President's immigration initiative included a strategy to gain control at the Southwest border and restore the rule of law, and the Administration backed it up with unprecedented increases in Border Patrol agents, advanced technology, and investments in infrastructure. The budget would fulfill the President's commitment to a Border Patrol staffing goal of 7,000 agents—an 85-percent increase from 1993 to 1998 (see Chart 5-2).

- *Border Enforcement Strategy:* Over the past four years, the Administration has launched targeted enforcement initiatives in Texas, California, and Arizona to control parts of the border that were historically the major corridors for illegal immigration. In the San Diego, El Paso, and Tucson areas—sites that account for over 75 percent of illegal crossings and where the Border Patrol has focused more resources over the past few years—violent

**Table 5-3. IMMIGRATION AND NATURALIZATION SERVICE
FUNDING BY PROGRAM**

(Budget authority, dollar amounts in millions)

	1993 Actual	1996 Actual	1998 Proposed	Dollar Change: 1996 to 1998	Percent Change: 1996 to 1998
Appropriated Funds:					
Border Patrol	354	536	818	+282	+53%
Investigations and intelligence	142	190	277	+87	+46%
Land border inspections	83	116	157	+41	+35%
Detention and deportation	161	289	581	+292	+101%
Program support and construction	227	600	624	+24	+4%
Subtotal, Appropriated Funds	967	1,731	2,457	+726	+42%
Fee collections and reimbursements:					
Citizenship and benefits	308	523	648	+125	+24%
Air/sea inspections and support	243	320	419	+99	+31%
Detention and support	12	11	117	+106	+964%
Subtotal, Fee Collections and Reimbursements	563	854	1,184	+330	+39%
Total, Immigration and Naturalization Service	1,530	2,585	3,641	+1,056	+41%



and property crime rates have dropped by a dramatic 15 to 39 percent. This targeted use of Border Patrol agents in urban areas has forced illegal crossers to rural, mountainous, and desert locations where the difficult terrain gives the Border Patrol an advantage in apprehending them.

- **Border Infrastructure and Technology:** The Administration has, along the entire Southwest border, expanded advanced technology to support enforcement. The technology includes the IDENT system, an automated fingerprint identification system that allows INS, for the first time, to readily identify criminal aliens, track illegal crossing patterns, and collect data on repeat crossers. With the help of the National Guard and military personnel, the INS also has built over 63 miles of fencing and 1,200 miles of roads, and installed over 17 miles of lighting to control drug trafficking, alien smuggling, and illegal immigration. And, since 1993, INS has added over 165 infrared night scopes,

8,600 ground sensors, and 8,000 encrypted radios to support enhanced border enforcement.

- **Border Control and Detention Construction:** For too long, INS has worked from decrepit and inadequate Border Patrol stations, and has been forced to incarcerate illegal aliens in antiquated and unsafe detention facilities. The budget supports an INS construction program that would complete six Border Patrol projects and two detention facility projects. Along with the military, INS also would fund 11 fencing, border lighting, vehicle barrier, and road projects to secure the Southwest border.

Detaining and Removing Illegal Aliens: Last year's immigration reform law requires mandatory incarceration, pending deportation, for aliens involved in crime. The Administration is moving quickly to implement the law, funding 1,864 more jail beds in 1998 and adding investigators and detention staff. The budget would bring total detention bedspace to over 13,900 beds in 1998 and fund nearly

3,200 staff to support detention and deportation activities. INS removed over 68,200 aliens, including 37,000 criminal aliens, in 1996 and estimates that it will remove over 93,000 aliens, at least 55,000 of them criminal aliens, in 1997.

- *Port Courts:* The Port Court program, initiated in 1995 in San Diego, imposes immediate consequences—including exclusion and deportation—for those who attempt to enter the United States with fraudulent documents or small amounts of drugs. In its first full year of operation, over 8,000 aliens were removed through expedited proceedings at the Port Court. The budget provides funds to continue the Port Court concept in San Diego and at the Miami Airport.
- *Institutional Hearing Program (IHP):* Under this program, criminal aliens have a deportation hearing while serving time in a Federal or State institution, paving the way for immediate deportation upon completion of a criminal sentence. The program ensures that criminal aliens are not released onto the streets. INS has expanded this program, which began in California, to States with large incarcerated alien populations. In 1995, INS began co-operative IHPs in California, Texas, New York, and Florida. The budget continues funding for IHP programs in these States and in New Jersey and Arizona.
- *State and Local Alien Incarceration:* Through the State Criminal Alien Assistance Program (SCAAP), the President has provided unprecedented help to reimburse State and local governments for the costs of incarcerating illegal criminal aliens. In 1996, the Federal Government provided \$495 million to reimburse 49 States and 94 localities—covering most costs associated with incarcerating aliens in non-Federal facilities. The budget extends the commitment, providing \$500 million for reimbursements. The Federal Government plans to ensure that States and localities receiving SCAAP funds fully cooperate with INS in its efforts to expedite criminal alien removals.

Reducing the Job Magnet for Illegal Entry: The U.S. economy acts as a powerful

“job magnet,” drawing hundreds of thousands of illegal aliens to this country each year. The Administration has built a strong foundation for an effective worksite enforcement strategy to reduce the draw of illegal aliens.

- *Employment and Data Verification:* In 1995, INS launched a pilot employment verification system with over 200 employers in Orange County, California. It allowed employers to quickly verify the employment eligibility of newly hired non-citizens. INS expanded the pilot in 1996 to over 1,000 employers and into Florida. The budget proposes over \$30 million in additional funding to correct INS data and expand verification efforts.
- *Worksite Enforcement:* In 1996, INS removed over 15,000 illegal workers from the workplace through such enforcement initiatives as Operation JOBS and South-PAW (Protecting American Workers). Worksite enforcement is the third leg of the Administration’s enforcement strategy, and INS is committed to showing both employers who knowingly violate the law as well as illegal workers that we mean business and will enforce the law. INS’ efforts have focused on industries with a history of hiring illegal workers. In the past year alone, INS has targeted over 900 employers and apprehended 8,700 illegal workers, freeing up over \$117 million in wages for legal workers. Since 1993, INS has removed over 30,000 illegal workers from their jobs.

Encouraging Naturalization and Citizenship: In 1995, in response to an unprecedented increase in citizenship applications, the Administration launched a major naturalization initiative—Citizenship USA. The initiative, targeted in five key cities where over 75 percent of naturalization applications came in and where a naturalization backlog was building, led to streamlined citizenship procedures and reduced applicant processing times. In 1996, over 1.2 million naturalization applicants became U.S. citizens—the highest ever. The average application process, which in the past exceeded a year, is now six months.